

Staff Summary Report



Hearing Officer Hearing Date: April 21, 2009

Agenda Item Number: 3

SUBJECT: This is a public hearing for a request by **HARRISON RESIDENCE (PL090110)** located at 1005 East Sandpiper Drive for one (1) variance.

DOCUMENT NAME: 20090421dssl01

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Hold a public hearing for a request by the **HARRISON RESIDENCE (PL090110)** (Susan Harrison, applicant/property owner) located at 1005 East Sandpiper Drive in the R1-6, Single Family Residential District for:

VAR09003 Variance to reduce the front yard setback from twenty (20) feet to nine (9) feet for a covered walkway.

PREPARED BY: Sherri Lesser, Senior Planner (480-350-8486)

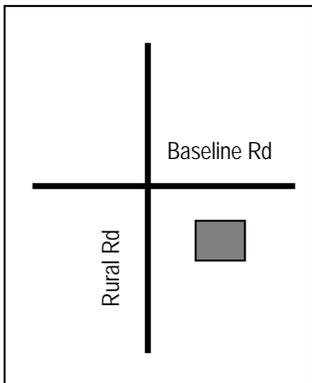
REVIEWED BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359) *SEA*

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval subject to Conditions

ADDITIONAL INFO: The Harrison Residence is seeking a variance to reduce the front yard setback from twenty (20) feet to nine feet (9) for a covered walkway addition to their house. The proposed covered walkway will limit access to the pool located in the front yard and will support the channeling of water run-off to the site. Staff supports the variance finding that there are special circumstances related to the configuration of the lot and the placement of the existing structures on the lot for which to warrant support of the variance. In accordance with the Zoning and Development Code, the applicant held a neighborhood meeting on April 2 2009; several neighbors attended the meeting and staff received a petition of support.



PAGES:

1. List of Attachments
2. Comments; Reasons for Approval; Conditions of Approval;
3. History & Facts/Description; Zoning & Development Code Reference

ATTACHMENTS:

1. Location Map(s)
2. Aerial Photo(s)
- 3-5. Letter of Intent
6. Site plan A-1
7. Elevation A-2
8. Section A-3
9. Section A-4
10. Neighborhood Meeting Minutes
- 11.-14. Petition of support
15. Staff Photograph(s)

COMMENTS:

The Harrison Residence is seeking a variance to reduce the front yard setback from twenty (20) feet to nine (9) feet. The variance is to accommodate a covered walkway expansion in the front of the house. The covered walkway connects to the pool fence wall located to the east and extends from the existing garage on the west. The covered walkway is an enclosed design with solid walls on the sides and a roof for a portion at the front (near the street) and opens to an arcade with columns next to the pool area leading to the front door. The addition will have an architecturally similar appearance to the existing residence. According to the applicant's letter, the covered walkway and walls are part of a well-engineered drainage plan and system put in place to mitigate flooding of the residence. Additionally, the covered walkway and wall provide additional security of the pool area located in the front yard on the residence.

Public Input

The applicant held a neighborhood meeting on April 2, 2009 and from the meeting provided a petition with signatures in support of the reduced setback variance.

Variance

The Zoning and Development Code requires the setbacks for dwellings, in the R1-6 Single Family Residential District, to be located twenty feet from the front property line. This property is located within the Lakes Subdivision Tract B. The Lakes Subdivision is a unique residential development that is characterized by reduced setbacks, courtyard entrances, pool and private spaces located in the front yard, lakefront properties and lush landscape. Staff has noted in the history other front yard setback variances that have been granted in the Lakes Subdivision. In review of this case, staff finds that there is justification for support of the variance. The lot has unique topography and placement of existing structures on the lot. The lot topography has a thirteen (13) foot change in grade from the front of the property (street side) to the rear of the property (lake side). The location of the pool in the front yard requires a barrier from the public on the street side. These variables are considered special circumstances which apply to the land and warrant support of the variance. The proposed structure will mitigate storm water run-off to the site and create a secure pool area. The authorizing of the variance will not be materially detrimental to the adjacent property or the surrounding area. The encroachment into the setback is for only a minor addition to the total residence.

Conclusion

Staff recommends approval of the reduced front yard setback for the covered walkway

REASON(S) FOR

APPROVAL:

1. Special circumstances or conditions applying to the land, building or use exist.
2. The authorizing of the variance is necessary for the preservation and enjoyment of substantial property rights.
3. Authorization of the variance(s) will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or to the public welfare in general.

SHOULD THE HEARING OFFICER ELECT TO TAKE AFFIRMATIVE ACTION ON THE REQUEST, THE FOLLOWING CONDITIONS OF APPROVAL SHOULD APPLY.

CONDITION(S)

OF APPROVAL:

1. The variance valid for the plans as approved by the Hearing Officer.
2. The addition to match the existing residence in form, color and material.
3. Obtain all necessary clearances from the Building Safety Division.

HISTORY & FACTS:

June 8, 1988

The Hearing Officer approved a variance request for the Philippakis Residence to allow a 5' high swimming pool fence to be located with 2'-5" from the front property line located at 1321 East Steamboat Drive, Tract A Lakes Subdivision in the R1-6, Single Family Residential District.

June 6, 2003.

The Hearing Officer approved a variance request for the Ramsey Residence to reduce the front yard setback from 20' to 15' to allow an entry wall/trellis structure located at 1318 East Commodore Place in the R1-6, Single Family Residential District.

June 18, 2008.

The Hearing Officer approved a variance request for the Minchuk Residence to reduce the front yard setback from 20' to 13'-8" for a garage addition located at 1333 East Waverly Way in the R1-6, Single Family Residential District.

DESCRIPTION:

Owner – Susan Harrison

Applicant – Susan Harrison

Existing Zoning – R1-6, Single Family Residential District

Lot size- 11,005 s.f.

Required front yard setback- 20'

Proposed front yard setback- 9'

**ZONING AND
DEVELOPMENT**

CODE REFERENCE:

Citations of Code Requiring Residential Setbacks & Variance(s):

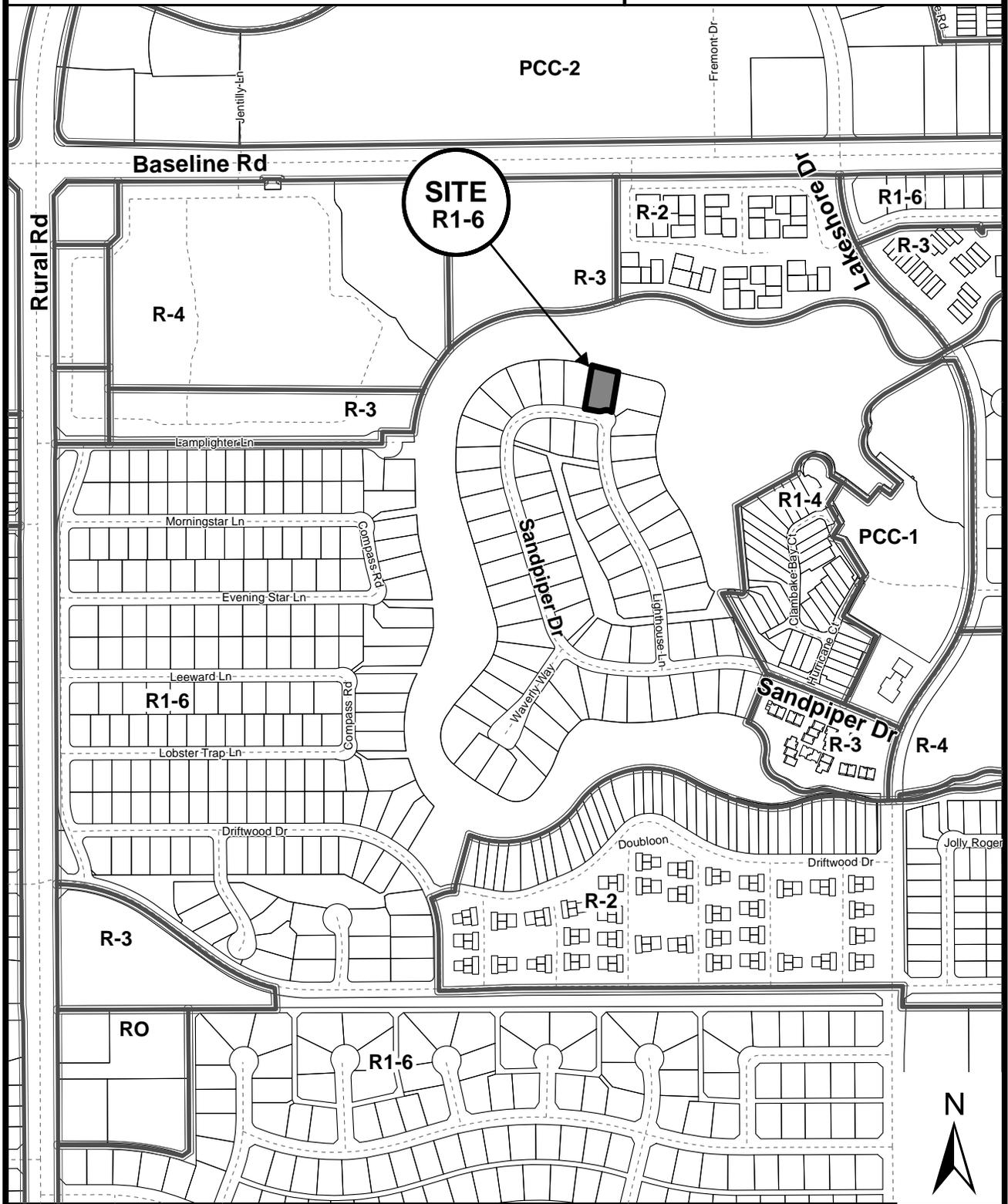
Zoning & Development Code:

Part 4, Chapter 2, Section 4-202.

Part 6, Chapter 3, Section 6-309

HARRISON RESIDENCE

PL090110



Location Map



HARRISON RESIDENCE (PL090110)

VARIANCE LETTER OF EXPLANATION
Case # DS 07 1519
Harrison Residence Entry Setback Variance

March 20, 2009

To: Sherri Lesser
City of Tempe
Development Services
31 East Fifth Street
Tempe, AZ 85280

From: Susan Harrison
Owner
1005 East Sandpiper Drive
Tempe, AZ 85283

Dear Ms. Lesser:

This Letter of Explanation is submitted as part of our formal application to the City of Tempe for granting a Variance from the setback requirements for our front covered entry. We wish to obtain a reduction from the required twenty-foot setback to the nine feet that currently exists between the curb and the beginning of the entry. In order to provide a more complete justification for a variance, a brief description of the property on which the house sits is necessary.

PROPERTY DESCRIPTION

Our home is in The Lakes Community and sits on the main lake. The property is rather confined and presents unique features not generally encountered in other single-family residential lots throughout the City. Development Services has itself previously recognized the special characteristics attendant with properties in The Lakes (See *Staff Summary Report for the MINCHUK RESIDENCE* at Page 3, Dated June 17, 2008).

We bought our home in 1989. It was built in 1972 with a semi-detached garage to the front with the main house behind. The garage sits approximately three feet below street level. The main level of the house sits about another three feet below that. There is then a lower level which is underground on the south side and open to the lake on the north side. In all, the lot drops thirteen feet in a very short span from the street to the lake. There essentially is no backyard. The pool is located in front of the house to the east of the garage. When it was built, the house was surrounded by dirt planters and loose brick walkways, which stepped down to the lake using railroad ties.

There was no drainage system, much less a drainage plan. Everything drains from the street to the lake. As a result, during rainstorms, the lower level of the house would flood. This would perpetually damage the interior walls and carpets. This persistent problem caused dangerous

molds and mildews, particularly when the flooding occurred in the hot summer months during the monsoons and forced us to constantly replace carpets and repair drywall.

In response to the regular flooding, we added properly graded concrete walkways all the way around the south side of the house, including in front of the garage. We installed trench drains to safely take the water down to the lake and protect the house from continued water damage. In doing so we eliminated awkward steps that led from the street down to the front door of the house at the main level, replacing them with a gentle ramp. This walkway runs alongside the eastern wall of the garage. Despite the new drains, there would still be runoff right down that walkway toward the front door. Contributing was runoff from the garage roof, which overhung the walk about halfway. All that water during storms, along with the hot sun reflecting on the concrete in the hotter months, made the new ramp unpleasant and potentially dangerous. We determined a covered entry walkway would be the best solution. This allowed us to funnel almost all water that would have run down the ramp instead down its new roof where we could then tie into our trench drains near the front of the house. Besides solving the final piece of our drainage problem, it also provided a nicer experience for entering guests and architecturally tied the house together with the garage.

JUSTIFICATIONS

Within the context of the Property Description, the strong merits of our justifications to grant the variance become readily apparent.

Drainage

The variance would allow the covered walkway. This is the final piece of our well-engineered drainage plan and system, which was put in place to prevent the house from flooding. The flooding was the result of the special topography of the lot. A drainage system such as we have installed is the best way to protect the house from flooding. Preventing further flooding obviously contributes not only to our enjoyment of the property, but to its preservation.

Privacy

We have no backyard, but the lake. The only semi-private area is the pool in front of the house. A wall separates it from view of the street. The addition of the covered walkway allows us to move the front gate out further down a walled corridor. The additional distance, essentially that of the requested variance, almost totally occludes anyone's view of the pool area from the front gate. This feature of the new entryway greatly enhances our ability to enjoy the pool area with a before unknown level of privacy.

Community Enhancement

The covered entry walkway ties the house together with the garage in an architecturally pleasing way. It enhances the look not only of our house, but the neighborhood as a whole. Importantly, it does so without encroaching on any of our neighbors' enjoyment of their respective properties or of any easements or utilities. No sightlines are obstructed and no shade is created nor eliminated outside our property.

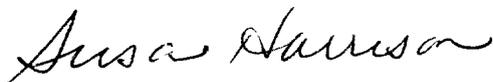
Safety

There are many small children in the area. The covered entry walkway provides a heightened level of security around the pool area that was never before present. With the addition, children would have a very hard time getting into the pool area without adult help. In fact, the new walls and entry would prevent them from even seeing that a pool was there from the street or front gate, adding to the overall safety of the neighborhood.

As you can see, our proposed variance is strongly justified for many reasons without any identifiable drawbacks to the City of Tempe or The Lakes Community. It is well-planned, limited in scope, and highly tailored to mitigate the hardships imposed by the special circumstances of our lot and our home's placement on that lot. For these reasons, we respectfully request that our application for this variance be granted.

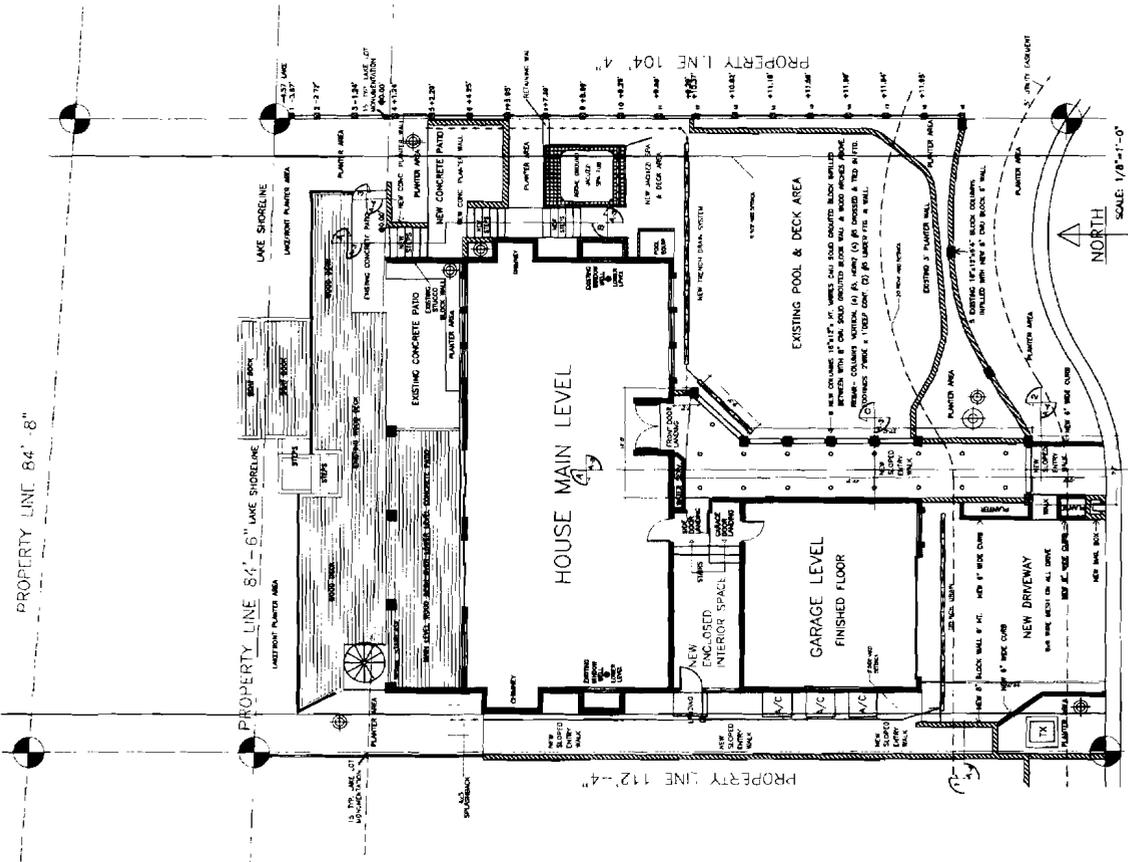
If you would like clarification as to anything either in this letter or any other part of our application, please do not hesitate to call. I can be reached on my cell phone at 602-481-3125 or by email at susanbhaz@gmail.com. Thank you for your consideration.

Sincerely,

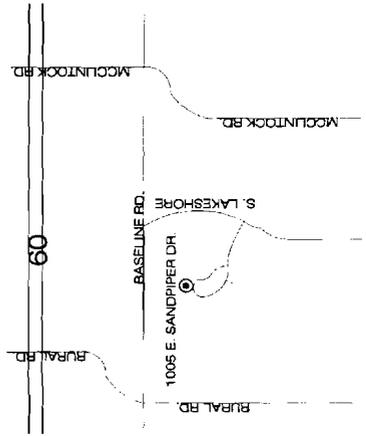


Susan Harrison

	PROJECT: COVERED PORCH AND LANDSCAPE REVISION		HARRISON RESIDENCE		ENCOURAGES YOU TO GO GREEN		SHEET NO. A-1		
	1005 E SANDPIPER DR., @ THE LAKES LOT 8036		1005 E SANDPIPER DR., @ THE LAKES LOT 8036		D. HANLEY		DATE: 2-17-09		
		STEP PLAN		CHECKED BY:		DRAWN BY:		SCALE: 1/8"=1'-0"	
		TEMP, AZ							



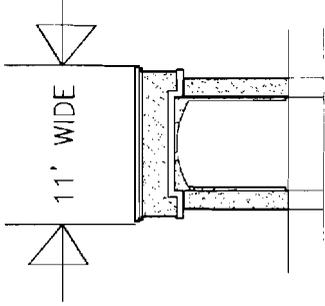
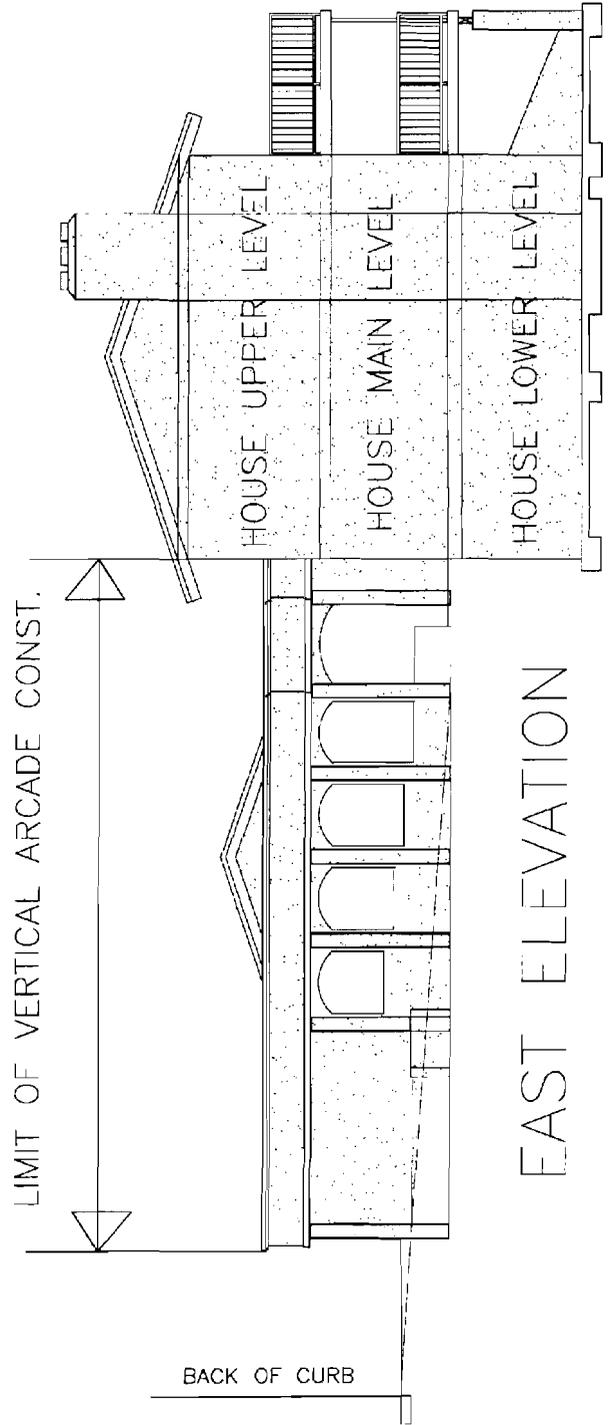
HARRISON HOUSE, 1005 E. SANDPIPER DR., @ THE LAKES, LOT 8036
TOTAL PROPERTY SITE PLAN

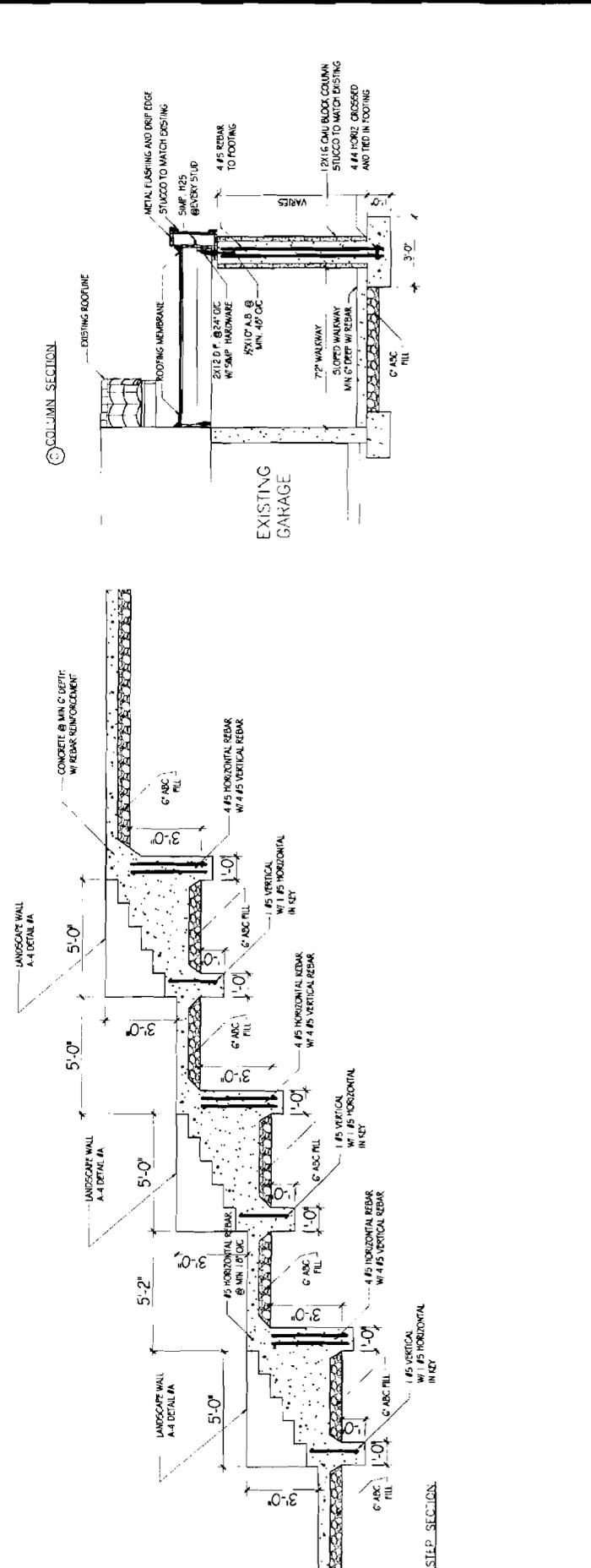
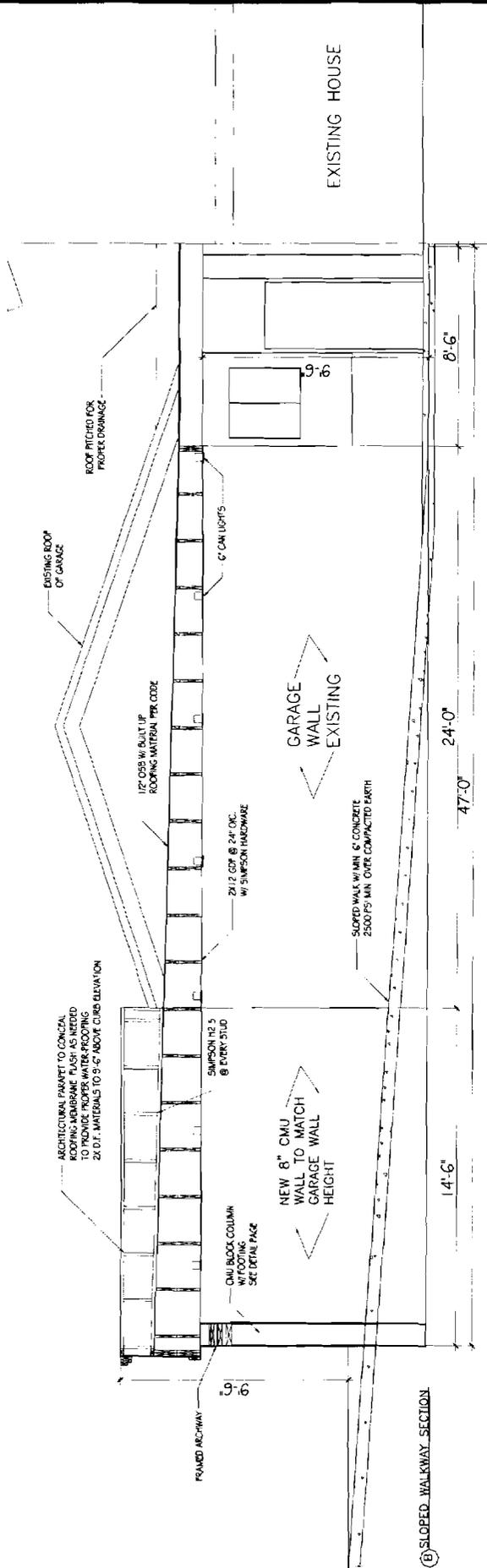


SHEET NO
A-2

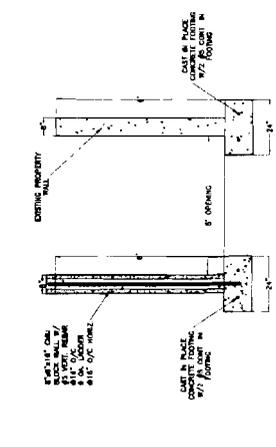
BRO HOME DESIGN
ENCOURAGES YOU TO GO GREEN
DATE: 2-17-09
DRAWN BY: D. HANLEY

PROJECT: COVERED PORCH AND LANDSCAPE REMODEL
HARRISON RESIDENCE
1009 E. SANDY PER DR. @ THE LAKES LOT 8038
ELEVATIONS: TEMPE, AZ

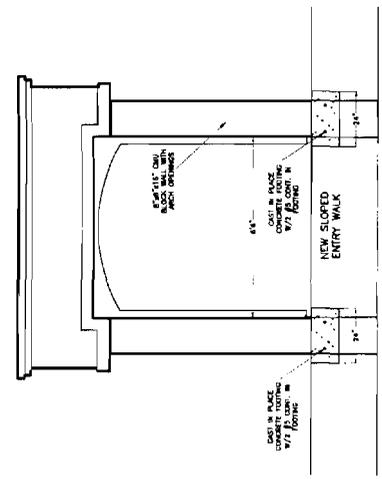




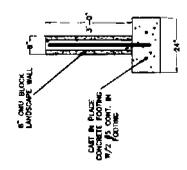
① WASTE RECEPTACLE WALL DETAIL



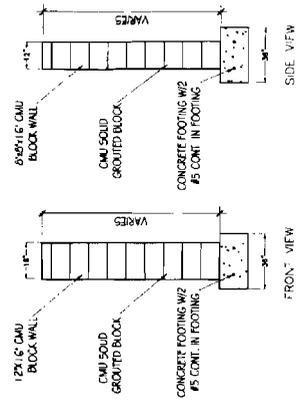
② FRONT ENTRY WALL DETAIL



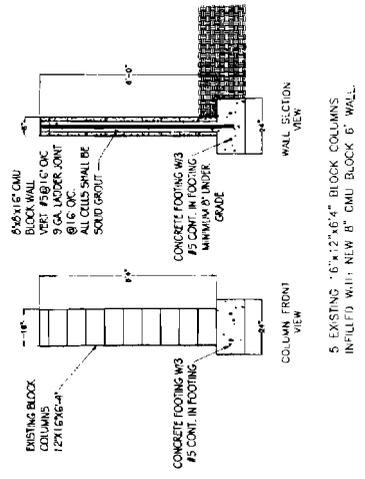
③ 8" BLOCK WALL DETAIL



④ COLUMN DETAIL



⑤ SOUTH PROPERTY WALL DETAIL



NOTE:
 6 NEW COLUMNS 16"x12"x HT. VARIES CMU SOLID GROUDED BLOCK INFILLED BETWEEN WITH 8" CMU SOLID GROUDED BLOCK WALL & WOOD ARCHES ABOVE.
 REBAR-- COLUMNS: VERTICAL (4) #5, HORIZ (4) #5 CROSSED & TIED IN FTG. FOOTINGS: 2" WIDE x 1" DEEP CONT. (2) #5 UNDER FTG. & WALL.

09 APR -09 PM 12:28

SERVICES DEPARTMENT

April 3, 2009

Summary of Neighborhood Variance Meeting

Thursday, April 2, 2009

5:00 PM – 7:00 PM

Harrison Residence- Case # DS 07 1519

1005 Sandpiper Dr

Tempe 85283

- Table and Chairs were set up in the driveway beginning at 4:45 PM
- My husband, my adult son, and I were available to greet neighbors and answer questions.
- My son walked groups of people around the lot explaining the changes. They appeared impressed and asked for details to solve some of the similar problems they have had to address.
- Blue tape was placed on the wall indicating the set back area so that neighbors could visualize where the city would like our set back to begin.
- The new plans were laid out on the table. Almost everyone looked through them.
- Copy of pg 2 of the variance application letter which summarized the justification was copied for neighbors to read and take as well as a short sheet with the date, time, and place of the public hearing.(Both attached)
- Sheets of paper were available for neighbors to sign if they wish and comment if they wish.
- **Comment sheets are attached.**
- We had a robust turnout that continued for two hours.
- The community manager came, listened to the conversation, and signed our sheet in support of our application.
- Couples attended for the most part and one of them signed the sheet. It appears that most in attendance signed the sheet.
- One person who called two times, toured the lot, and asked multiple questions did not sign the sheet. She did not receive a letter as she is outside the 300 feet.
- Another person who did not receive a letter as she is outside of the 300 feet signed the sheet with reservations about the completion date. She "demanded" a copy of the complete letter that accompanied the application. While I thought that was unnecessary, I complied.
- Neighbors sat and chatted for an extended period of time and munched on cookies.
- The written comments summarize the discussion. The neighbors support our variance, think it looks good, increases safety, and enhances the neighborhood. Many sited areas in the Lakes that our far outside the standard and do not look as good as our improvement.
- Most of the neighbors said that they would attend the public hearing in support if necessary.
- While I did not want to hold a neighborhood meeting, I have to say it was very encouraging and enjoyable. Our community works together.

Susan Harrison
1005 E. Sandpiper
602-481-3125



Please Sign
Name + Address

1/4

Chris & Gay Cutter

5426 S. Lighthouse Ln.

Anytime anybody wants
to improve their property
I'm in.

When completed, it will
be great. ~~Jeffrey~~

Tammy & Ben Ogilvie

1012 E Sandpiper Dr Tempe AZ 85283

I think any improvements that the
Harrissons is great for them. I am in agreement
and trust their judgment.

Tamara K. Ogilvie

Linda Caterine Kulhavy

1037 E. Sandpiper Dr.

Tempe Az 85283

I fully support this property renovation
(the covered entryway). I think it will
be an excellent improvement to our

neighborhood. The proposed plan is
much safer for young children. The pool will be less of an
attraction for children ^{if it is} close.
IT will be nice when completed.

Louise M. Ogilvie

7/13

I'd like a simulation for completion
of the entry within 60 days from
submitting a proposal of variance.

Mary Katherine Collins
1056 E. Sandpiper Row
Tempe, AZ 85283
480 970 8440

We are in support of this application
for a variance for front yard setback.
We live at 5407 S. LIGHTHOUSE LN.
Carol & James Hunsinger.

We support the variance for the front entry setback
John Coffin & Katherine McGuire 1006 E Sandpiper DR.

We support the variance application,
Loren & Elaine QUEST 480-797-6279
1065 E. Sandpiper

We are in Support of the Variance application
Christine Baldiga - Community Manager
5501 S. Lakeshore dr - 480-838-1023
Tempe, AZ 85283

3/4

4/3/09

I LIKE THE PROPOSED IMPROVEMENT TO THE FRONT OF THE HOME.

I AM IN SUPPORT OF THE VARIANCE.

LARRY DACTON

1308 E. COMMODORE PL.

TEMPE, AZ. 85283

839-8131

LOT A-49 THE LAKES

4/2/09

The improvement they are doing front of their home looks good & we support the improvement

R M Dungaitai

3701 S. Lightbeam Lane

Tempe AZ 85283

480-730-8168

Sam Hall

1001 E. Sandpiper Dr.

Tempe, AZ 85283

480/838-6671

4/4

~~B. D. Sanchez~~
1009 Sand Paper
Tempe AZ 85283 2020

Good Luck



HARRISON RESIDENCE

1005 EAST SANDPIPER DRIVE

PL090110

FRONT OF RESIDENCE

